

HARRIS

ST. LAURENT

WECHSLER

February 6, 2023

By ECF

Hon. Jesse M. Furman
United States District Judge
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

Re: *Matthew Connolly v. Deutsche Bank AG, Case No. 22-cv-09811*

Your Honor:

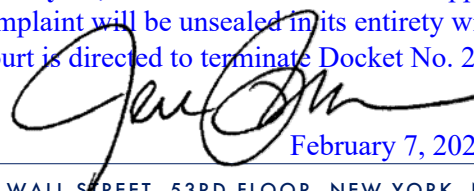
On behalf of plaintiff Matthew Connolly, we write to request leave to redact portions of Mr. Connolly's Amended Complaint from the public filing. Those sections quote or summarize grand jury testimony and exhibits in the criminal proceeding against Mr. Connolly. On motion from the government in that proceeding, Judge Colleen McMahon ordered such grand jury information to be filed under seal. *See, United States v. Connolly*, 16-cr-370-CM, Dkt. No. 162 (Dec. 12, 2017, SDNY). Our application is made in deference to Judge McMahon's order and the confidentiality generally afforded to grand jury proceedings.

Respectfully submitted,

/s/ Daniel B. Grossman
Daniel B. Grossman

cc: All counsel of record (via ECF)

Given the trial that took place after Judge McMahon's order, the Court is inclined to think that any remaining interest in grand jury secrecy is outweighed by the strong presumption in favor of public access to the unredacted complaint. Out of an abundance of caution, however, the Court will give the Department of Justice and any party who believes otherwise an opportunity to be heard on the issue. No later than **February 8, 2023**, Plaintiff's counsel shall serve a copy of this endorsed letter and a copy of the Amended Complaint with proposed redactions highlighted on counsel for the Government in the underlying criminal case. Any application -- by DOJ or Defendant -- to maintain the unredacted amended complaint under seal shall be filed by **February 14, 2023**. In the absence of an application by that date, the amended complaint will be unsealed in its entirety without further notice. The Clerk of Court is directed to terminate Docket No. 22. SO ORDERED.



February 7, 2023